B of Secs 13
file in book

G. R. S. IX-5]

Previous references.

File No. 142-20

1920.

Serial Nos. 1-6.

(Ch.)

Later references.

Ch. 184-24(1-2)

" 84-23(1-2)

Preserve
M.
17/11/43

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six.

Part B for September 1921.

SUBJECT.

Appointment of Chief Clerks to give relief to the heavily worked Munsiffs and Subordinate Judges.

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816). To the Registrar, Chief Court.

No. J. 1358 of 3.9.21.

Requests him to review the proposals before the consideration of the next budget.

WD 1888—GPB—16,826—23-7-21

19/9/21

G. R. S. 11] 1920-21

GENERAL AND REVENUE SECRETARIAT.

(CO.)

NOTES.

File No. 142-20.

FILE HEADING.

Appointment of Chief Clerks to give relief to the heavily-worked munsiffs and Subordinate Judges.

From

The Registrar, Chief Court.

No. Ro C 242/16-17 Dated 6th November 1920 Received 17-11-20.

Diary No.	Enclos.	Spare Copies.	Serial No.
1055			1

BRIEF ABSTRACT OF LETTER.

Proposes the appointment of a new ministerial official designated "Chief Clerk" in judicial offices in place of the present Head Munshi to give relief to the heavily worked Munsiffs and Subordinate Judges.

NOTES AND ORDERS.

Asst. Secy. Mr. Evans on the P.U.D. "are such officers appointed in British India".

2) No information is available in this office as regards this. If asked, a reference will be made to the Chief Court for the supply of the information.

Subordinate Judges.

NOTES—First Sheet.

Secy
Asst
3/12

10555

2

G. R. S. III-2.

General and Revenue Secretariat.

Cts File No. 142 of 1920.

Serial No.

3) No proposals involves addl expenditure & may perhaps be postponed for the present in view of the financial exigency as present.

Subd for orders

D. M.
15/12

III Member.

365
16.12.20

4) Please note that the cost of the scheme will be if it is extended to the whole state.

5) It will not be easy to find out those persons who are helpful in the assistant to the peasants. This is a routine work.

Ali
26/12

D. M.
22/12

5
27/12

Scribed b) If the scheme is extended to the whole state, the extra cost will be Rs. 95-7-8-0 per mensem.

7) As regards para 5 the Chief Court will be addressed in the matter if approved.

Ess 3) Para 3 of the Registrar's letter in which views of
11/1/21 Superior qualifications are proposed to be appointed shows it seems to show that no assistants will be asked for.

Asst
20/1 a) Please put up drafts to the Registrar enquiring on the above points.

D. M.
22/1

i) present cost on account of Head minister Rs. 932-8-a
ii) Average cost if the scheme is approved Rs. 1890-....
∴ extra cost Rs 957½

NOTE—Contn. sheet

5
24/1

10555

3

G. R. S. III-2]

General and Revenue Secretariat.

CE File No. 142 of 1921.

Serial No.	
	(1) Copy of the Chief Court enquiring that. D. 24/1 Arr 25/1. (1) Issues D. 24/1 25/1
2	To The Registrar, Chief Court. No. Cj. 14730 dt 28-1-21. Enquires what the cost of the Scheme would be if it is extended to the whole State + whether the Chief Clerk will not require an assistant to help him in the disposal of the present routine work.
1/2	From The Registrar Chief Court. Letter no Roc 742 dt 13.7.1921 States that the cost of extend the scheme for the appointment of Chief Clerks in place of Head Munshis to give relief to some of the heavily worked civil courts would be Rs 21,495 per annum and suggests for reasons given the scheme may be tried in a few Courts (2) The reasons for introducing the scheme are only some civil Courts are :- 1. There will not be much chance of promotion to

Dt 2 - 8 1921

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

No. File No. 742 of 1921

Serial No.

all the lekhi clerks without unduly restricting the field of recruitment.

2. It may exclude the appointment of advocates as munsiffs though better qualified by training and practice in courts.

3. The ~~est~~ present establishment itself requires revision in view of the fact that the work has increased by 50%.

4. It may not be possible to extend the scheme to the whole state account of the present financial position

13) If the scheme is introduced as suggested in the first letter of the Registrar, the cost comes to

lekhi clerks 5 x 95 average in grade 80-10-100 = 475 p.m

5 clerks for routine work on Rs 30 each 150 p.m

Total 625 p.m

14) A provision of Rs 7,500 would have to be found in the current year's budget if the scheme is sanctioned for five courts.

Submitted for orders

Sd/ VR

18/7/21

15) The question may perhaps be over for the present in view of the financial situation

D. M.

2nd Member

29/7

782/30.7.21

D.J.O.

NOTE—Contn. sheet

G. R. S. III-2.

General and Revenue Secretariat.

177

File No. 142 of 1921

Serial No.

(16) The proposal is good and will go a long way to relieve congestion in the Courts. But the test if introduced in all the Courts will cause up to Rs 21,445 and if imposed in 5 Courts as at present suggested the likely cost is amount to Rs 7500. There is no provision for this in the current year's budget. The likely Courts may be asked if they can find funds by reappropriation

Hide
31/7 hm

(17) Draft shares
D. M.
1/8

18) Submitted with a draft
4/8/21 1/8

19) Issue
D. M.
12/8

1, To The Registrar each Court
No J 744 Dt 13.8.1921
States that the cost of introducing the scheme in five civil courts comes to Rs 4500/- P.M. and enquires whether this sum can be found by reappropriation in the current year's budget.

Cust

5 From
The Registrar Lahore Court
Letter no Rore 742 Dt 19.8.21
States that the final budget has not yet

NOTE—Contn. sheet

772

6

G. R. S. III-2,

General and Revenue Secretariat. | Cb File No. 162 of 19 20-21

Serial No.

been received and that it is not likely that the amount can be found by reappropriation

(20) Submitted with reference to paragraph (16) of the rules for orders

23/8/21 (2nd member) 27/8/21

15·40 / 27.8.21

May be taken up at the next session

25/8

Submitted with a draft. This will be

31.8.21 31/8/21

6 Do Sir Resolution each court

No 8 1358 dt 3-9-1921

Requests him to renew the proposals before the consideration of the next budget

NOTE—Contn. sheet.

10585

1920 121

Bangalore, 25

Dated 10th November 1920

142-20

Rocno 742 1916-17

GEN & REV. SEC.
Ch Secy
13 NOV 1920 All

From

G. Sreenivasa Iyer, Esq., B.A., M.L.,
Registrar of the Chief Court of Mysore.

242.9

To

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the
Government of Mysore,
B a n g a l o r e.

Revenue officers
Bangalore
P-un
16/11

CHIEF COMMISSIONER'S PROTECTORATE
17 NOV 1920

S i r,

I am directed to state that in order to give relief to some of the more heavily worked munsiffs and Subordinate Judges and to enable them to devote more amount of time to expediting the disposal of contentious proceedings, a suggestion has been made to the Chief Court that the Chief Ministerial Officers of such courts may be invested with certain duties of a quasi-Judicial or even of a judicial nature. Section 128(1) of the Civil Procedure Code allows of the making of rules for the delegation to an officer of the court of Judicial and quasi-Judicial duties. Such duties would be for example those of taking steps preparatory to the trial of a suit or miscellaneous case; directing issue of notices, declaring sufficiency or insufficiency of service and ordering service by substitution and doing similar duties while the trial is pending and in execution cases and making unopposed orders of a routine nature in these cases --such as orders for the attachment

attachment and sale of moveables and immoveables, certifying satisfaction and ordering dismissals on decree-holder's report or for default of prosecution, &c. The officer may also be entrusted with the duty of making decrees in Ex parte Small Cause cases.

2. The Judges are of opinion that this scheme may be tried in some of the courts where the work is heavy that it is likely that the necessity for a second court would otherwise arise and that in such a case it would be cheaper to substitute the agency of an officer of the court than to provide a new court.

3 It is clear that the present Head Munshis of the Civil Courts cannot properly be entrusted with duties of the kind. The Judges are therefore of opinion that for the present/the scheme may be tried in the First Munsiffs' Courts at Bangalore and Mysore and the Munsiffs' Courts at Kolar Gold Fields, Chintamani and Nandidrug where the present Head Munshi may be replaced by an officer of superior qualifications with the designation of "Chief Clerk", on pay of Rs.80-10-100.

4 I am to add that if the Government agrees with the above views of the Judges, the required proposition statement and the draft rules defining the functions of the officer will be submitted for favour of approval of the Government.

I have the honour to be,
S i r,
Your most obedient servant,

G Sanjivayya
REGISTRAR

2611

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 10555

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 28/1

Signed by M' Bm

Section 6b

File No. 142-20

Serial No 2

No. 2 14730

To

The Registrar, Chief Court-

Sir

With reference to your letter no R.O.C. 142/16-17 of 10th Jan 1920 proposing the appointment of Chief Clerks in place of Head Munshis, to give relief to some of the heavily worked Munsiffs and Sub Judges, I am directed to enquire what the cost of the scheme would be if it is extended to the whole State and whether the Chief Clerk will not require an assistant to help him in the discharge of the present routine work

I have etc

D. M. 28/1

For Minister

24/1

25/1

26/1

1605

Ro 180 1428 1916-17 177-10

Chief Court of Mysore,
Bangalore, 13th July 1921.

142-Ro 3

GEN & REV. SECT
14 JUL 1921

From

The Registrar of the
Chief Court of Mysore,
B a n g a l o r e.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
Revenue Department, Bangalore.

PM 14 JUL 1921

S i r,

Adverting to your letter No.G.14730/Cts.142-20-2, dated the 28th January 1921, enquiring what the cost of the scheme for the appointment of Chief Clerks in place of Head Munshis to give relief to some of the heavily worked Civil Courts, (would be) I am directed to state that if the scheme has to be extended to all the Munsiffs' and Subordinate Judges' Courts in the State, it involves an additional expenditure of Rs.1,101-4-0 a month as shown in the margin or a recurring annual expenditure of Rs.13,215/-. As the scheme will give additional work to the Chief Clerks, they would have to have an assistant to get through the routine work in which case the extra cost of the scheme would be --- Rs.21,495/- per annum allowing for a clerk on Rs.30/- per month.

So, for 23 Chief Clerks the cost will be 23 x 95 (the average of Rs.80-10-100)....	Rs.2,185- 0- 0
Minus the present pay of Head Munshis (13 at Rs.40/- and 7 at Rs.50/-) and Sheristedars (3 at Rs.60-3-75).....	Rs.1,083-12- 0
Net sum required a month.....	Rs.1,101- 4- 0

* There are at present 20 Munsiffs' Courts and 3 Subordinate Judges' Courts.

2. But if the scheme is to be extended

to

to the whole State there will, it is apprehended, be great difficulty in recruitment. It will it is believed not be practicable to obtain the services of men qualified for -- judicial office for all courts in the State because their chances of promotion to the judicial service will be small. There are few men who will now-a-days take up ministerial employment on Rs.80-10-100 with only the chance of promotion to a District Court Sheristedar or Deputy Registrar of the Chief Court.

3. But anything less than a man qualified for judicial promotion will not do much to relieve the Munsiff. The other class will hardly be trusted by the Bar and others to do the quasi judicial part of the work.

4. This difficulty would not be so great if the scheme was confined to a few courts: because in that case the -- Chief Clerks will have sufficient chance of ministerial promotion and also of becoming Munsiffs, while we cannot provide a Munsiff's appointment for a clerk in every court without unduly limiting the field of recruitment and excluding Advocates probably better qualified by training and practice in the Courts.

5. Further, I am to bring to the notice of the Government that conditions have greatly changed since the last reorganization was sanctioned in 1915-16. Complaints are frequently received that the scale of establishment sanctioned for the various Courts is insufficient and application is made for additional hands. Qualified men cannot be recruited in sufficient numbers as the pay is not attractive. The audit and inspection notes prove that the work entrusted to unqualified men is not as well done as it ought to be. The work in all the Courts has also increased by more than 50 per

cent

cent of what it was six or seven years ago. The Judges are therefore of opinion that the situation will have to be improved by a further increase of establishment and pay. It is recognized that the Government may not be able to take up this question immediately, but I am desired to state the position now for their information.

I have the honor to be,

S i r,

Your most obedient servant,

Srinivasagam.

Deputy Registrar.

TMN/

G.R. S. VI—G/32]

SUBJECT.....

.....

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Diary No. of letter replied to 177

General and Revenue Secretariat

( )

, the *191* .

Date of issue 13/8

Signed by

Section Cts

File No. 142-20

Serial No 4

No. 1747

To

The Registrar Lebiey Court. Bangalore

Sir,

With reference to your letter no Roc 742 dy 13.7.921 re the scheme of appointment of lebiey clerks in place of Head Munshis & give relief because of the heavily worked civil courts, I am directed to state that the cost of introducing the scheme in five Civil Courts comes to Rs 7500/- per annum as noted in the margin. I am to enquire whether these Rules Can

over.

5 chief clerks on Rs 80-10-100 = 5 × 95 (heavier) = 475

5 clerks on Rs 30/- p.m. = 150

Total 625 p.m. or 7500 per annum

be formed by reappropriation within the

Current year's Budget.

The Treasury

An early reply is requested

Thank you

Yours truly

Ford Lacey

8/

2/8/21

List of enclosures.

Copied by

Examined by

06714

AUG 1921

Chief Court of Mysore,

Bangalore, 19th August 1921.

From

The Registrar of the
Chief Court of Mysore,
Bangalore.

To

The Secretary to the Government of
H. H. the Maharaja of Mysore, Revenue Depart...
Bangalore.

Sir,

Adverting to your letter No.J.747/Cts.142-20-4 dated the 13th August 1921 enquiring whether the sum of Rs.7,500/- per annum being the cost of introducing the scheme of appointment of chief clerks in place of Head Munshis to give relief to some of the heavily worked ... civil courts can be met out of the current year's budget, I am directed to state that the final budget for 1921-22 is not yet received; but it is not likely that the sum of Rs.7,500/- or deducting Rs.3,000/- the pay of the ... existing five Head Munshis of the courts referred to, ... Rs.4,500/- can be found in the current year's budget.

I have the honor to be,

Sir,

Your most obedient servant,

FOR REGISTRAR.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 772

General and Revenue Secretariat

( )

, the *191*

Date of issue 3/9/21

Signed by Mr Brg

Section Ch

File No. 142-20

Serial No. 8

No. J 1358

To

The Registrar Chief Court.

Sir,

With reference to the correspondence ending with your letter no Roc 7625 dated 19.8.21 in the matter of appointing Chief clerks in place of Head Munshis to give relief to some of the heavily worked Civil Courts I am directed to request you to kindly review the proposals in consultation with the sufficient time before the next budget session.

over

Chancellor

31/8/21

for Secretary

31.8.21